

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

CRIMINAL NO. 04-10303-RCL

RASHAUN SCOTT)

ASSENTED-TO MOTION TO ENLARGE TIME TO
RESPOND TO SUPPRESSION MOTION
AND TO CONTINUE CONFERENCE

The government respectfully moves for an enlargement of time within which to respond to the defendant's Motion to Suppress or for Franks Hearing (the "Motion), from May 13, 2005 to and including May 23, 2005, and to continue the Status Conference, currently scheduled for May 19, 2005, to May 20, 2005 at 2:00 or 2:30 p.m. As grounds therefor, the government states, as to its motion to enlarge time to respond to the Motion, that undersigned counsel filed a 45-page brief in the First Circuit on May 9, 2005, and, in addition to the response being prepared to the Motion, has responses to four other motions currently due in other sessions of this Court by May 20, 2005, including two other responses currently due on May 13, 2005. As to the motion to continue the Status Conference currently scheduled for 3:00 p.m. on May 19, 2005, the government states that undersigned counsel has a prior-scheduled appearance in United States v. Cory Hubbard, Criminal No. 04-10235-MLW, at 2:30 p.m., and that said

appearance may well extend past 3:00 p.m.¹ The government has consulted with the office of counsel for the defendant in this case and has learned that counsel would be available to attend the Status Conference in this matter on May 20, 2005 at either 2:00 or 2:30 p.m.

The defendant, through his counsel, has expressed his assent to the allowance of the government's motion to enlarge the government's time to respond to the Motion to and including May 23, 2005, and to continue the Pre-Trial Conference to May 20, 2005 at 2:00 or 2:30 p.m.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Robert E. Richardson
Robert E. Richardson
Assistant U.S. Attorney

¹The government has moved to continue part of the hearing scheduled in the Hubbard matter based on its late receipt of certain materials, but the government anticipates that the session of this Court in which the Hubbard case is pending will likely address issues relating to that defendant's custody status at 2:30 p.m. on May 19 even if it allows the motion to continue the other part of the hearing.

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
May 12, 2005

I hereby certify that a true copy of the foregoing was served by electronic filing upon counsel for the defendant, C. Samuel Sutter, Jr., Esq.

/s/ Robert E. Richardson
Robert E. Richardson
Assistant U.S. Attorney